

Exhibit E

From: Monteleoni, Paul (USANYS)
To: Weitzman, Avi; Fee, Adam J.
Cc: PH-MenendezTeam; llustberg@gibbonslaw.com; Ricardo Solano Jr. - Gibbons P.C. (rsolano@gibbonslaw.com); Collart, Anne M. (ACollart@gibbonslaw.com); LaBruno, Christina M.; Cesar de Castro; Seth Agata (sagata@cdecastrolaw.com); Shannon McManus (smcmanus@cdecastrolaw.com); Mark, Eli (USANYS); Richenthal, Daniel (USANYS); Pomerantz, Lara (USANYS); Ghosh, Catherine (USANYS); Clark, Christina (NSD)
Subject: [EXT] RE: United States v. Menendez et al., S4 23 Cr. 490 (SHS)
Date: Thursday, November 14, 2024 4:24:42 PM

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As a courtesy, we can say that we first discovered that the incorrect versions of certain of the implicated exhibits were loaded onto the jury's laptop on October 31 during the course of preparing for the trial of Nadine Menendez. We then reviewed our files in order to ascertain what had happened and whether it may have affected other exhibits, and that process led to the identification of the other exhibits described in the letter. We have not identified any other exhibits on the jury laptop as containing extraneous material, and have no reason to think that that occurred given how, when, and why the not-fully-redacted versions were created and labeled, as described in detail in the letter we filed with the Court, and accordingly have not conducted a document-by-document review of each file in our copy of the set of exhibits loaded onto the jury laptop.

Regarding your question about the laptop, the data is no longer on the laptop itself; we have been working off of a copy of the final version of the set of exhibits loaded onto the jury laptop.

-----Original Message-----

From: Weitzman, Avi <aviweitzman@paulhastings.com>
 Sent: Wednesday, November 13, 2024 3:30 PM
 To: Fee, Adam J. <adamfee@paulhastings.com>
 Cc: Monteleoni, Paul (USANYS) <PMonteleoni@usa.doj.gov>; PH-MenendezTeam <PH-MenendezTeam@paulhastings.com>; llustberg@gibbonslaw.com; Ricardo Solano Jr. - Gibbons P.C. (rsolano@gibbonslaw.com) <rsolano@gibbonslaw.com>; Collart, Anne M. (ACollart@gibbonslaw.com) <ACollart@gibbonslaw.com>; LaBruno, Christina M. <CLaBruno@gibbonslaw.com>; Cesar de Castro <cdecastro@cdecastrolaw.com>; Seth Agata (sagata@cdecastrolaw.com) <sagata@cdecastrolaw.com>; Shannon McManus (smcmanus@cdecastrolaw.com) <smcmanus@cdecastrolaw.com>; Mark, Eli (USANYS) <EMark@usa.doj.gov>; Richenthal, Daniel (USANYS) <DRichenthal@usa.doj.gov>; Pomerantz, Lara (USANYS) <LPomerantz@usa.doj.gov>; Ghosh, Catherine (USANYS) <cghosh@usa.doj.gov>; Clark, Christina (NSD) <Christina.Clark3@usdoj.gov>
 Subject: [EXTERNAL] Re: United States v. Menendez et al., S4 23 Cr. 490 (SHS)

Paul - Thanks again for bringing this to our attention today minutes before your court filing.

Can you please advise us when the government discovered this error, how it came to the

government's attention, and whether and how the government has confirmed that no other improper exhibits were erroneously provided to the jury? Please also advise if the government is in possession of the laptop that was provided to the jury.

Thanks,
Avi

Avi Weitzman
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On Nov 13, 2024, at 1:50 PM, Fee, Adam J. <adamfee@paulhastings.com> wrote:

Thanks for letting us know Paul.

Can you please send us copies of the versions that were provided to the jury, and tell us where they were incorrectly redacted?

From: Monteleoni, Paul (USANYS) <Paul.Monteleoni@usdoj.gov>
Sent: Wednesday, November 13, 2024 10:47 AM
To: Fee, Adam J. <adamfee@paulhastings.com>; Weitzman, Avi <aviweitzman@paulhastings.com>; PH-MenendezTeam <PH-MenendezTeam@paulhastings.com>; llustberg@gibbonslaw.com; Ricardo Solano Jr. - Gibbons P.C. (rsolano@gibbonslaw.com) <rsolano@gibbonslaw.com>; Collart, Anne M. (ACollart@gibbonslaw.com) <ACollart@gibbonslaw.com>; LaBruno, Christina M. <CLaBruno@gibbonslaw.com>; Cesar de Castro <cdecastro@cdecastrolaw.com>; Seth Agata (sagata@cdecastrolaw.com) <sagata@cdecastrolaw.com>; Shannon McManus (smcmanus@cdecastrolaw.com) <smcmanus@cdecastrolaw.com>
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Subject: [EXT] United States v. Menendez et al., S4 23 Cr. 490 (SHS)

Counsel: We wanted to notify you regarding an error we recently discovered in the laptop the parties jointly provided to the jury for its deliberations. We recently learned that incorrect versions of certain Government Exhibits were inadvertently

Counsel:

We wanted to notify you regarding an error we recently discovered in the laptop the parties jointly provided to the jury for its deliberations. We recently learned that incorrect versions of certain Government Exhibits were inadvertently loaded on the jury's laptop. Specifically, incorrect versions of Government Exhibits A103-10, A120, B207-1, C207-8, C207-8T, C207-9, C207-9T, C602, and D207-3 that did not contain all of the redactions ordered by the Court

were loaded on the jury's laptop. The incorrect versions of the exhibits were never displayed to the jury in any form. And the version of the chart summarizing these exhibits (GX 1302) on the jury laptop summarized the correct versions of the exhibits.

Although we don't believe any action is necessary, we also will be informing the Court of this discovery, including more detail, shortly.

Paul M. Monteleoni
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Southern District of New York
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New York, NY 10278
212-637-2219

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